

U.S. Closes Probe Of CIA Critic Agee

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The Justice Department has closed its investigation of former Central Intelligence Agency employee Philip B. F. Agee and told him he is free to return from England without facing prosecution for disclosing CIA secrets, a department spokesman said yesterday.

The decision was made Friday by the new head of the Criminal Division, Benjamin R. Civiletti, a day after he conferred with Agee's attorneys. Several weeks ago Civiletti's predecessor, Richard L. Thornburgh, had informed Agee that he might be charged for disclosure of classified material in his book "Inside the Company: CIA Diary."

The book was highly critical of the CIA and revealed much detail about its Latin American projects.

Civiletti said his decision reflected no change in policy regarding enforcement of the espionage act. Rather, he said, the investigation had reached a logical end without producing ground for prosecution.

Agee, 41, has been living in England since 1972 but faces possible deportation from that country for unspecified reasons of national security.

Agee's attorneys said it was not certain whether he would return to live in the United States, but he would like to lecture here and "take part in the debate over the future role of intelligence agencies." Agee is said to be working on a second book critical of the CIA.

A CIA spokesman said the agency was "upset" at the Justice Department's decision because it constitutes evidence that the nation does not have adequate laws to prevent the disclosure of secret information.

CIA director Stansfield Turner said in a CBS television interview Sunday that he is weighing steps to curb such disclosures, including a possible campaign for new laws.

Some CIA figures have claimed that Agee's book jeopardized not only the agency's projects but the lives of operatives in Latin America. Agee countered that he was providing a public service by alerting the nation to clandestine activities that were illegal or improper.